IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 16TH NOVEMBER 2006 / 25TH KARTHIKA 1928

WP(C).No. 26227 of 2006(V)

PETITIONER:
----

1. N.K.ABBAS, AGED 36 YEARS,
S/O.KOCH AHAMMED, NANETHAN HOUSE,
ALLAPRA P.O., VENGOLA VILLAGE, VENGOLA KARA,
ERNAKULAM DISTRICT.

2. NIBU.C.A., AGED 30 YEARS,
S/O.ABDUL AZEEZ, CHIRACKAKAUDY HOUSE,
ALLAPRA P.O., VENGOLA VILLAGE, VENGOLA KARA,
ERNAKULAM DISTRICT.

BY ADV. SRI.T.A.SHABEERALI
SMT.C.S.SIMI

RESPONDENTS:
----

1. THE VENGOLA GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY, VENGOLA P.O.,
ERNAKULAM DISTRICT.

2. THE KERALA STATE POLLUTION CONTROL
BOARD, REPRESENTED BY THE CHIEF ENVIRONMENTAL
ENGINEER, GANDHI NAGAR, ERNAKULAM.

3. THE DISTRICT MEDICAL OFFICER,
KAKKANAD, ERNAKULAM DISTRICT.

4. BEERANKUNJU, (SURYA INDUSTRIES)
CHENTHARA HOUSE, ALLAPRA P.O.,
PERUMBAVOOR, ERNAKULAM DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
GOVERNMENT PLEADER SRI.MATHEW G.VADAKKEL FOR R3

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE,J.

W.P.(C) NO. 26227 OF 2006

Dated this the 16th day of November, 2006

J U D G M E N T

Even though service is complete, the party respondent has not entered appearance before this court to resist the prayers. I am informed that W.P.C. 22776/06 is pending before this court in respect of the same subject matter. Therefore, I do not propose to examine the merits of the grounds raised. However, since Exhibit P3 representation submitted by the petitioner is seen pending before the 1st respondent, this writ petition will stand disposed of with the following directions.

The first respondent will take up Exhibit P3 immediately, consider the same in the light of the grounds raised, hear the petitioner and also the 4th respondent and take a correct and just decision at the earliest, and at any rate within three weeks of receiving copy of this judgment. The views of the 2nd respondent-Pollution Control Board also will be ascertained by the Panchayat before a decision is taken.

PIUS C.KURIAKOSE, JUDGE

Rp